

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	
SCHULTZ et al.)	Group Art Unit: 3691
)	
Application No.: 09/776,412)	Examiner: Havan, Thu Thao
)	
Filing Date: February 2, 2001)	Confirmation No.: 4078
)	
For: ELECTRONIC TRANSACTION)	
RECEIPT SYSTEM AND METHOD)	

DECLARATION OF JIM NADLER UNDER 37 C.F.R. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.
Customer Number 36339

Sir:

I, Jim Nadler, hereby declare that:

1. I am the Vice-President Marketing and Business Development of afterBOT, Inc., having a business address of 4361 Shackleford Road, Norcross, Georgia 30093 (hereinafter, "afterBOT"). I am familiar with the marketing and sales of products and services of afterBOT.
2. afterBOT has developed and markets a retail software solution that facilitates the use of point-of-sale (POS) information in a business's operations. afterBOT calls this solution TransAccessTM, and it is comprised of three major components: Enterprise Connect, Customer Connect, and Supplier Connect, each component is supported by an Alert subsystem.
3. One aspect of TransAccessTM is providing electronic receipts using an electronic receipt generator, which aspect is covered at least by claims found in U.S. Non-Provisional

Patent Application No. 09/776,412. In particular, providing electronic receipts using an electronic receipt generator is claimed in claims 59-61 of the '412 application, which recite:

59. (Previously Presented) A method for providing electronic receipts using an electronic receipt generator, comprising the steps of:
- a. conducting a first plurality of sales transactions between a plurality of buyers and a plurality of sellers;
 - b. transmitting information about each of the first plurality of sales transactions to the electronic receipt generator;
 - c. generating by the electronic receipt generator an electronic receipt for each of the first plurality of sales transactions, wherein each receipt comprises detailed information describing the sales transaction, wherein the detailed information comprises sale price, total transaction amount, item description, and information indicating completion of the sales transaction;
 - d. generating by the electronic receipt generator information from the first plurality of electronic receipts that describes the first plurality of sales transactions but that does not personally identify any individual buyer;
 - e. transmitting the information generated from the first plurality of electronic receipts to a third party; and
 - f. performing market analysis by the third party using the information generated from the first plurality of electronic receipts.
60. (Previously Presented) The method of claim 59, further comprising:
- a. generating by the electronic receipt generator information from a second plurality of electronic receipts that are associated with a buyer and that are associated with the plurality of sellers;
 - b. converting by the electronic receipt generator the information generated from the second plurality of electronic receipts to a determined format; and
 - c. transmitting the converted information generated from the second plurality of electronic receipts to the buyer.

61. (Previously Presented) The method of claim 60, further comprising:

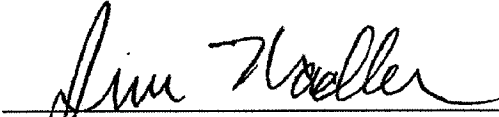
- a. conducting a sales transaction between the buyer and a first seller;
- b. transmitting information about the sales transaction to the electronic receipt generator over a first network;
- c. generating by the electronic receipt generator an electronic receipt comprising detailed information describing the sales transaction, wherein the detailed information comprises sale price, total transaction amount, item description, information indicating completion of the sales transaction, and a hyperlink associated with a product return procedure;
- d. transmitting the electronic receipt over a second network to a computing device operated by the buyer, wherein the first and second networks are distinct;
- e. displaying the detailed information on the computing device;
- f. activating, by the buyer, the hyperlink on the computing device;
- g. transmitting, to the computing device and in response to activation of the hyperlink, return information containing steps for returning the product;
- h. displaying the return information on the computing device;
- i. requesting, by the buyer, a return shipping label for the product;
- j. transmitting the return shipping label to the computing device; and
- k. producing a hard copy of the return shipping label using the computing device.

4.. I declare that TransAccessTM solution has been commercially successful based on the recognition of the superior results obtained by providing electronic receipts using an electronic receipt generator enabling access to sales data in real time. The results obtained by the claimed invention have been lauded by others in the field in the face of competing solutions. In particular, the TransAccessTM solution received the 2008 VICS (Voluntary Interindustry Commerce Solutions Association) Collaborative Achievement Award as the *Best Third Party Technology Provider* (see the attached press release). TransAccessTM is credited for enabling a bread vendor to reduce out of stocks (OOSs) by 18%, which resulted in a 10% sales increase.

An ice vendor reduced costs by 5%; increasing margins by \$240,000. Also, used as a POP application for credit card dispute resolution, TransAccessTM enabled a retailer to lower costs from approximately \$35 per incidence to \$5; resulting in an annual savings of \$250K.

I declare that all statements made herein of my own knowledge and belief are true and that all statements made on information and belief are believed to be true, and further, that the statements are made with the knowledge that willful false statements are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 12-11-2008


Jim Nadler



FOR IMMEDIATE RELEASE

June 11, 2008

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**DILLARD'S, CADBURY ADAMS, PROCTER & GAMBLE, BEST BUY,
GS1 CANADA, AFTERBOT AND RSA HONORED AT
11th VICS ACHIEVEMENT AWARDS**

Jim McLaughlin, former Vice President of Gillette Receives Career Achievement Award

Lawrenceville, NJ — The Voluntary Interindustry Commerce Solutions Association announced the winners of the 2008 VICS Collaborative Commerce Achievement Awards this evening at the VICS/UConnect Annual Conference in Dallas at the Gaylord Texan Resort. The Awards are designed to identify and reward excellence in supply chain collaboration. Winners of the VICS Achievement Awards were decided by votes of the VICS Board of Directors, which is composed of an elite Who's Who of industry luminaries.

The 2008 VICS Collaborative Commerce Achievement Awards honor outstanding companies for their strategic thinking and leadership, as well as the implementation of GS1 standards and VICS collaborative commerce guidelines that have resulted in more effective supply chain practices and partnerships. The awards recognize the positive results of company-wide dedication to customer satisfaction that have made continuous improvements to the supply chain.

The following are the **2008 VICS Collaborative Commerce Achievement Awards Winners** along with the accomplishments noted by the judges --

Retail Side Excellence:

Dillard's Inc.

- Dillard's traditional information systems was not designed to support the global collaboration currently required, which includes communication and coordination between product coordinators, designers, technicians, sourcing agents, manufacturers, agents, inspectors and more. Dillard's needed an information system that supports and enhances the product development process, so merchants can focus on the creative process and provide a competitive advantage in the global market.
- After attempting to integrate traditional in house applications and third party applications, Dillard's management determined the Internet was the best platform for this project.

Dillard's Product Sourcing Application provides centralized storage and 24x7 access to all information about the product development process to internal and external users.

- Collaboration between Dillard's and their manufacturing partners is greatly facilitated. All systems users, within their security scope, can view all information about messages, styles, quotes, bill of materials, sample submittals, final inspections and costs. From the implementation of the initial phase, DPSA has received praise for its ease of use and value to the business users both internal and external to Dillard's.

Supply Side Excellence (Tie):

Cadbury Adams

- Cadbury Adams has established the dramatic value and importance of speed-to-market, at least for product categories in which new products play a critical role.
- In a study involving VICS and Edgewood Consulting Group, Cadbury Adams found that best-practice companies are 13 weeks faster than competitors in achieving full distribution of new products—and that results in higher sales and consumer perception of the retailer as superior (e.g., “Has exciting new items” and “has everything I want”). Sales increased by 2.5% category-wide (about \$100 million in the gum and mints category).
- The study also demonstrated that best-practice retailers and suppliers use CPFR, especially for long-lead-time planning for new product introductions and lifecycle planning.

Procter & Gamble

- Procter & Gamble (P&G) helped develop tiered business cases, including “EPC Advantaged,” “EPC Testable” and “EPC Challenged” so that value propositions and a path to adoption could deliver early benefits and a positive value proposition to the widest range of supplier companies. The framework helps any company, regardless of product category and business situation, to identify the most effective route to implementing EPC with trading partners.
- This has diminished industry wide skepticism about the business case for EPC/RFID and helped retailers identify the most productive approach to working with trading partners.
- Companies using P&G's rigorous testing and best practices have identified ideal RFID tag placement and integrated EPC data into buyer/seller decision-making processes. They have used EPC to achieve increases in sales from improved in-stocks, non-productive inventory, monitoring dwell time, improving execution of promotional displays.

VICS CPFR® Implementation Excellence:

Best Buy and Best Buy Asia Sourcing Office

- A more efficient process was needed to communicate forecast information to each supplier from Best Buy US CPFR, merchant, demand planning and private label team to Asia Sourcing Office. The existing process took two people ½ day each to send the information. Every Best Buy US team had a different weekly rhythm so Best Buy Asia Sourcing Office did not know when to expect the forecast information. Information was not always received on a timely basis since it took so long to generate, and the potential for data error was high.

- Best Buy created a standardized business process through our existing CPFR process, which was specific to our private label items and Asia Sourcing Office using the same processes that are re-deployed for national brands.
- The biggest success of the new process is that it is the most widely adopted CPFR process in the company and has become the way forecasting information is communicated between Best Buy US and the Asia Sourcing Office. Because of this adoption Best Buy has improved forecasting to the factories, reduced lead-times and controlled expenses devoted to the process. It has also allowed the team to work more efficiently and focus on forecasting and replenishment rather than data integrity and communication issues. Other benefits include greater internal collaboration, timesavings for both Best Buy US team and the Best Buy Asia Office in sending and receiving information, more consistent process and timelines and fewer “Fire Drills” than with the previous process.

**Best Third Party Technology Provider:
afterBOT, Inc.**

- The primary business challenge was an inability to effectively access and use POS transaction data to run the business. There were islands of information with limited ability to quickly provide specific answers to a host of customer service and store operations issues. The result was a plethora of applications; each focused on solving a specific problem; each operating in a slightly different fashion and / or delivering information in a slightly different format.
- The solution consists of 3 major components; Enterprise Connect, Customer Connect and Supplier Connect each supported by an Alert subsystem designed to deliver meaningful information instantly. Leveraging a fully integrated web environment, afterBOT's TransAccess™ improves customer services, drives operational efficiency, increases marketing effectiveness and enables a supplier collaboration environment focused on store level execution.
- For vendor collaboration, access to sales data in real time enabled a bread vendor to reduce OOS by 18%; resulting in a 10% sales increase. An ice vendor reduced costs by 5%; increasing margins by \$240,000. Used also as a POP application for Credit Card Dispute resolution, TransAccess™ enabled a retailer to lower costs from approximately \$35 per incidence to \$5; resulting in a annual savings of \$250K.

**Best Third Party Service Provider:
RSA**

- To encrypt credit card numbers for PCI compliance across a diverse range of technology platforms (including AIX, CICS, DB2, Windows and z/OS) for Dillard's, RSA developed an encryption and encryption key management system.
- The approach allows encrypts customers' credit card and other personal data for the life of the data, while providing secure and fast decrypting online and offline

Supply Chain Excellence:

GS1 Canada – Pharmaceutical Industry Data Sync

- GS1 Canada's ECCnet Registry provides data for data synchronization of pharmaceutical-related (Rx2) products, and has blossomed to cover more than 10,000 OTC, 11,000 prescription (Rx) and 500 BTC products.
- Pharmacy retailers have incorporated product listing through ECCnet Registry as part of their standards term and condition of trade, eliminating non-value-added costs, enhancing data integrity and strengthening patient safety.
- ECCnet Registry has expanded pharmaceutical-related data fields, which will enhance product tracking and product recall leading to improved patient safety. New areas also include Homeopathic Medicine, expanded dosage coverage, and type of application unit.
- This success in pharmaceuticals lays the foundation for future e-commerce initiatives, including EPC/RFID.

Roger Milliken Career Achievement Award

Jim McLaughlin, Former Vice President, Process and Services Management, The Gillette Company

Jim McLaughlin worked for Gillette from 1992 to 2006, during which time he held the positions of CIO, North Atlantic Group; Vice President, Process and Services Management, and Director, Supply Chain Process and Applications. Jim was a member of the VICS Board of Director from 1997 to 2006, serving on the Executive Committee from 2004 to 2006. During his tenure on the VICS board, he chaired the VICS CPFR Committee for five years and was Integral in launching Gillette's CPFR program with CVS, which eventually won the VICS CPFR Achievement Award in 2003.

"This was an excellent year for the awards and the winners show how critical collaboration is in our industries," said Joe Andraski, president and CEO of VICS. "The VICS Board of Directors applauds the winners, the finalists and the nominees for this year's awards, and extends a special congratulations to one of our former members, Roger Milliken Career Achievement Award winner Jim McLaughlin. Throughout his career, Jim has devoted time and energy to advance the implementation of many of the standards we take for granted today."

The 11th annual VICS Collaborative Commerce Achievement Awards program was sponsored by Hewlett-Packard Company.

About VICS.

The Voluntary Interindustry Commerce Solutions (VICS) Association has enabled companies in the retail and consumer-focused industries to eliminate billions of dollars of waste and delay. By creating voluntary guidelines, often referred to as "standards," VICS has created new best practices that ultimately lead to lower costs and better availability of products for consumers. VICS' volunteer members improve the flow of products and information throughout retailing and the consumer-focused industries that supply retail. The Association provides leadership and an environment in which executives can make a difference in their industry, their company performance—and their personal commitment to make the world work a little bit better. VICS' members help define the next best practices in the industries and thus anticipate and optimize business processes and costs. Additional information can be found at www.vics.org.

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